

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**DR. MICHAEL A. WEINER P/K/A Michael
Savage and SAVAGE PRODUCTIONS INC.,**

Plaintiffs,

vs.

**ORIGINAL TALK RADIO NETWORK INC. D/B/A
Talk Radio Network Inc.,**

Defendant.

Case No.: 10-CV-05785 YGR

**ORDER DENYING MOTION TO REGISTER
JUDGMENT IN DISTRICT OF OREGON
PURSUANT TO 28 U.S.C. § 1963**

On June 10, 2013, this Court entered its Judgment in favor of Plaintiffs Dr. Michael A. Weiner p/k/a Michael Savage and Savage Productions Inc. and against Defendant Original Talk Radio Network, Inc. d/b/a Talk Radio Network Inc. On July 10, 2013, The Original Talk Radio Network, Inc. filed its Amended Notice of Appeal. Presently before the Court is Plaintiffs' Motion to enforce the judgment by registering it for collection in the District of Oregon, pursuant to 28 U.S.C. § 1963. (Dkt. No. 69.)


Under Federal Rule of Civil Procedure 62, a judgment of a district court becomes final and enforceable fourteen days after judgment is entered unless it is stayed, such as by a supersedeas bond. FRCP 62. Pending appeal, however, the judgment is only enforceable in the district in which it was rendered, unless the judgment is "registered" in another district by court order under 28 U.S.C. § 1963. *See Columbia Pictures Television, Inc. v. Krypton Broad. of Birmingham, Inc.*, 259 F.3d 1186, 1197-98 (9th Cir. 2001). Registration of a judgment while an appeal is pending requires the party seeking registration to establish good cause. 28 U.S.C. § 1963. Generally, good cause is shown upon evidence of the "absence of assets in the judgment forum, coupled with the presence of substantial assets in the registration forum." *Columbia Pictures*, 259 F.3d at 1197-98.

Here, Plaintiffs' motion did not include any evidence. Thirteen days after filing the motion, Plaintiffs submitted several unauthenticated exhibits, most of which concern corporate entities other

1 than the defendant named in the judgment. Even if the Court considers these documents, in spite of
2 their questionable admissibility and late filing, neither they nor the exhibits to Plaintiffs' reply
3 establish good cause for registration of the judgment in the District of Oregon. Plaintiffs submitted
4 no evidence to show that defendant has no assets in this forum or that it has substantial assets in the
5 District of Oregon. The motion is therefore **DENIED** for lack of good cause shown.

6 **IT IS SO ORDERED.** This Order terminates Docket No. 69.

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8 **Date: September 26, 2013**


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California